

1 J. MICHAEL KALER, SBN 158296  
2 KALER LAW OFFICES  
3 9930 Mesa Rim Road, Suite 200  
4 San Diego, California 92121  
5 Telephone (858) 362-3151  
6 Email: michael@kalerlaw.com

7 MELODY A. KRAMER, SBN 169984  
8 KRAMER LAW OFFICE  
9 9930 Mesa Rim Road, Suite 1600  
10 San Diego, California 92121  
11 Telephone (858) 362-3150  
12 Email: mak@kramerlawip.com

13 Attorneys for Plaintiff JENS ERIK SORENSEN,  
14 as Trustee of SORENSEN RESEARCH AND  
15 DEVELOPMENT TRUST

16 UNITED STATES DISTRICT COURT  
17 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
18 SAN JOSE DIVISION

19 JENS ERIK SORENSEN, as Trustee of ) Case No. C08-00095 JW  
20 SORENSEN RESEARCH AND )  
21 DEVELOPMENT TRUST, ) **NOTICE OF NEWLY DISCOVERED**  
22 ) **PRODUCTS ACCUSED OF PATENT**  
23 ) **INFRINGEMENT IN THIS ACTION**  
24 )  
25 )  
26 )  
27 )  
28 )  
Plaintiff )  
v. )  
LEXAR MEDIA, INC., a Delaware )  
corporation; and DOES 1 – 100, )  
Defendants. )  
and related counterclaims. )

**TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE THAT** Plaintiff JENS E. SORENSEN, as TRUSTEE OF THE SORENSEN RESEARCH AND DEVELOPMENT TRUST (“SRDT”), by and through its attorneys of record, is hereby providing this notice to the Court and all interested parties of the discovery of additional newly discovered Accused Products manufactured, imported, offered for sale or sold in the United States by Defendants during the relevant period of time, that are substantially likely to be produced utilizing a process that infringes United States Patent Number 4,935,184 (“the ‘184 patent”).

Pursuant to paragraph 10 of the Complaint, these additional Accused Products and the processes utilized to manufacture them are now at issue for infringement of the ‘184 patent in the present action. Paragraph 10 provides in relevant part that Accused Products are those “including but not limited to, any other product manufactured using the same injection mold as” the LEXAR MEDIA JumpDrive 128MB. The plastic cases of all the newly identified Accused Products appear to be the same case manufactured with the same mold as the LEXAR MEDIA JumpDrive 128MB.

This notice adds additional newly discovered Accused Products that were not known to Plaintiff at the time of the filing of the complaint.

The newly discovered Accused Products are identified by product number in the table below:

MODEL NUMBER
LEXAR MEDIA JumpDrive 64MB
LEXAR MEDIA JumpDrive 256MB
LEXAR MEDIA JumpDrive 512MB
LEXAR MEDIA JumpDrive 1GB

DATED this Thursday, July 10, 2008.

JENS ERIK SORENSEN, as Trustee of  
SORENSEN RESEARCH AND DEVELOPMENT  
TRUST, Plaintiff

/s/ J. Michael Kaler

J. Michael Kaler, Esq.

Melody A. Kramer, Esq.

Attorney for Plaintiff

## PROOF OF SERVICE

I, J. Michael Kaler, declare: I am and was at the time of this service working within in the County of San Diego, California. I am over the age of 18 year and not a party to the within action. My business address is the Kaler Law Offices, 9930 Mesa Rim Road, Suite 200, San Diego, California, 92121.

On Thursday, July 10, 2008, I served the following documents:

### NOTICE OF NEWLY DISCOVERED PRODUCTS ACCUSED OF PATENT INFRINGEMENT IN THIS ACTION

PERSON(S) SERVED	PARTY(IES) SERVED	METHOD OF SERVICE
Jared Bobrow jared.bobrow@weil.com Weil, Gotshal & Manges LLP 201 Redwood Shores Parkway Redwood Shores, CA 94065	Lexar Media, Inc.	Email--Pleadings Filed with the Court via CM/ECF

- ☐ (Personal Service) I caused to be personally served in a sealed envelope hand-delivered to the office of counsel during regular business hours.
- ☐ (Federal Express) I deposited or caused to be deposited today with Federal Express in a sealed envelope containing a true copy of the foregoing documents with fees fully prepaid addressed to the above noted addressee for overnight delivery.
- ☐ (Facsimile) I caused a true copy of the foregoing documents to be transmitted by facsimile machine to the above noted addressees. The facsimile transmissions were reported as complete and without error.
- ☐ (Email) I emailed a true copy of the foregoing documents to an email address represented to be the correct email address for the above noted addressee.
- ☒ (Email--Pleadings Filed with the Court) Pursuant to Local Rules, I electronically filed this document via the CM/ECF system for the United States District Court for the Southern District of California.
- ☐ (U.S. Mail) I mailed a true copy of the foregoing documents to a mail address represented to be the correct mail address for the above noted addressee.

1 I declare that the foregoing is true and correct, and that this declaration was executed on  
2 Thursday, July 10, 2008, in San Diego, California.

3  
4 /s/ J. Michael Kaler

5 \_\_\_\_\_  
J. Michael Kaler  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28